APPENDIX 'A'.

THE MYSORE PREVENTION OF FRAGMENTATION AND CONSOLIDATION OF HOLDINGS (AMENDMENT) BILL, 1973.

(L. A. Bill No. 10 of 1973)

A Bill to amend the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966.

Whereas it is expedient to amend the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966 (Mysore Act 1 of 1967) for the purposes hereinafter specified ;

Be it enacted by the Mysore State Legislature in the Twenty-forth Year of the Republic of India as follows :—

1. Short title.—This Act may be called the Mysore Prevention of Fragmentation and Consolidation of Holdings (Amendment) Act, 1973.

2. Amendment of section 9.—In section 9 of the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966 (Mysore Act 1 of 1967) (hereinafter referred to as the principal Act),—

(i) in the heading, for the words " to transfer for public purpose or non-agricultural purpose ", the words " to certain transfers " shall be substituted ;

(ii) in sub-section (1), after the words " transfer of any land ", the words, ' figures and brackets ' " to or by the Mysore Bhoodan Yagna Board established under the Mysore Bhoodan Yagna Act, 1963 (Mysore Act 34 of 1963) or " shall be inserted.

3. Amendment of section 30.—In section 30 of the principal Act, after the words " under this Act ", the words and figures " or under any of the Acts repealed by section 45 " shall be inserted.

4. Insertion of new section 37A.—After section 37 of the principal Act, the following section shall be inserted, namely :—

" 37A. Power of State Government to exclude the application of the Act.—Notwithstanding anything contained in this Act, the State

Government may, by notification, direct that all or any of the provisions of this Act shall not apply to such areas and from such date as may be specified in the notification.".

STATEMENT OF OBJECTS AND REASONS

1. The Chief Executive Officer, Mysore Bhoodan Yagna Board has brought to the notice of Government that a large percentage of lands gifted to the Board comprise of fragments which come within the scope of the Mysore Prevention of Fragmention and Consolidation of Holdings Act, 1966 and that as such the Board is not in a position to rehabilitate landless persons on such lands. It is, therefore, considered necessary to amend section 9 of the Act so as to exclude such fragments from the purview of the Act.

2. There is no specific provision in the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966 empowering Government to vary a scheme confirmed under the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 or other repealed Acts as the provision in section 30 of the Mysore Act to make a variation applies only to a scheme confirmed under that Act. It is therefore, considered necessary to amend section 30 of the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966 to enable Government to revoke or vary a scheme confirmed under the laws repealed by that Act whenever it comes to the notice of Government that a scheme was confirmed due to gross error or that grave injustice has been done thereby.

3. It is necessary to exclude from the purview of the Mysore Prevention of Fragmentation and Consolidation of Holdings Act, 1966 areas in towns and cities as also areas abutting them as fragments in such areas are obviously intended for non-agricultural purposes like building sites, But there is no provision in the Act for excluding such areas, It is therefore, proposed to introduce a new provision in the Act similar to that existing in the Bombay Act to enable the Governmetnt to exclude the said areas from the purview of the Act.

Hence the Bill.

N. HUTCHAMASTHY GOWDA,

Te. HANUMANTHAPPA,
Secretary.